

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KANEKAR ET AL.

Group Art Unit: 3694

Application No. 10/630,178

Examiner: BADII, Behrang

Confirmation No. 7658

Filing Date: July 29, 2003

For: Generating accounting data based on
access control list entries

**37 CFR 1.705(b) REQUEST FOR RECONSIDERATION OF
PATENT TERM ADJUSTMENT (PTA)
INDICATED IN THE NOTICE OF ALLOWANCE**

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

Applicants respectfully request a the Office correct the PTA to be at least 1214 days, instead of the 1103 days indicated with the Notice of Allowance mailed August 7, 2009. On August 12/13, 2008, the Office vacated the final Office action mailed June 20, 2008. Applicants respectfully submit that such action of vacating the Office action had the effect of vacated the event of mailing of the June 20, 2008 Office action for PTA purposes; which is also consistent with the scope and spirit of PTA, as the delay until the Restriction Requirement was mailed on October 24, 2008 was caused by the Office not presenting a proper Office action on June 20, 2008, and subsequently having to vacate it.

The following is presented in list format to supplement the previous discussion.

(1) Applicants submit that this request is being filed no later than the payment of the issue fee and not earlier than the mailing of the notice of allowance.

(2) Applicants believe the correct PTA is at least 1214 days, and request the Office correct the determined PTA.

- a) Applicants calculate that the application is entitled to an adjustment of 111 days in accordance with 37 CFR 1.703(a)(2) in connection with delay in excess of four months from Applicants' response filed on March 5, 2008 until the mailing of the Office Restriction Requirement on October 24, 2008.
- b) Applicants do not dispute the adjustment of 1132 days until the mailing on the first Office action, nor the reduction of 29 days.
- c) Accordingly, at the time of allowance, Applicants believe the application is entitled to an adjustment of 1214 days.
- d) Applicants have paid the required PTA application fee of \$200.00 set forth in § 1.18(e) herewith via EFS-Web.
- e) Applicants further request, if any, additional PTA accrued pursuant to § 1.702(a)(4) and/or 1.702(b), or any other source.

Applicants are including, on the next page, a marked-up copy of the PTA printout from PAIR, which may help the Office understand Applicants' request presented herein.

In re KANEKAR ET AL., Application No. 10/630,178
Request For Reinstatement Of Reduced PTA

10/630,178	GENERATING ACCOUNTING DATA BASED ON ACCESS CONTROL LIST	10-31-2009:19:00:50
	ENTRIES	

Patent Term Adjustments

Patent Term Adjustment (PTA) for Application Number: 10/630,178			
Filing or 371(c) Date:	07-29-2003	USPTO Delay (PTO) Delay (days):	<u>Corrected</u> 1243 1132
Issue Date of Patent:	-	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL) Delay (days):	29
Post-Issue Petitions (days):	+0	Total PTA (days):	1214 1103
USPTO Adjustment(days):	+0	Explanation Of Calculations	

Patent Term Adjustment History

Date	Contents Description	PTO(Days)	APPL(Days)
08-07-2009	Mail Notice of Allowance		
08-04-2009	Document Verification		
08-04-2009	Notice of Allowance Data Verification Completed		
07-13-2009	Date Forwarded to Examiner		
07-13-2009	Date Forwarded to Examiner		
06-19-2009	Request for Continued Examination (RCE)		
07-13-2009	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)		
06-19-2009	Workflow - Request for RCE - Begin		
09-24-2008	Electronic Information Disclosure Statement		
03-19-2009	Mail Final Rejection (PTOL - 326)		
03-16-2009	Final Rejection		
09-24-2008	Information Disclosure Statement considered		
01-06-2009	Date Forwarded to Examiner		
12-24-2008	Response to Election / Restriction Filed		
12-24-2008	Request for Extension of Time - Granted		
10-24-2008	Mail Restriction Requirement		
10-22-2008	Requirement for Restriction / Election		
09-24-2008	Information Disclosure Statement (IDS) Filed		
08-12-2008	Case Docketed to Examiner in GAU		
08-13-2008	Mail Notice of Withdrawn Action		
08-12-2008	Date Forwarded to Examiner		
08-12-2008	Letter Withdrawing / Vacating Office Action		
06-20-2008	Mail Final Rejection (PTOL - 326)		
06-18-2008	Final Rejection		
04-11-2008	Date Forwarded to Examiner		
03-05-2008	Response after Non-Final Action		
03-05-2008	Request for Extension of Time - Granted		
11-05-2007	Mail Non-Final Rejection		
10-29-2007	Non-Final Rejection		
10-17-2007	Withdraw Flagged for 5/25		

(ONE HUNDRED ELEVEN)

121 days

29
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1132

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Applicant believes no additional fees are due with this paper beyond the payment of the fees via EFS-Web, but authorizes the Commissioner to charge any fees due with this communication, or credit any amount being refunded, to Deposit Account No. 501430.

Respectfully submitted,
The Law Office of Kirk D. Williams

Date: October 31, 2009

By



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